

DRAFT ORDINANCE 2339

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING CHAPTER 3, "AMUSEMENTS," OF THE TOWN CODE REGARDING BINGO AWARD AMOUNT

WHEREAS, the Town's bingo ordinance is codified at Sections 3.50.010 and following;
and

WHEREAS, Town Code Section 3.50.015 currently sets the maximum prize amount for bingo games at \$250 per game;

WHEREAS, California Penal Code Section 326.5 authorizes local jurisdictions to establish a maximum prize amount for bingo of up to \$500 per game;

WHEREAS, a local non-profit organization has requested that the Town increase the maximum prize amount for bingo from \$250 to \$500 per game; and

WHEREAS, the Town Council is amenable to this requested increase;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Los Gatos as follows:

SECTION I. Town Code Section 3.50.015, "Maximum Amount of Prize," is amended to read as follows:

The total value of prizes awarded during the conduct of any bingo games shall not exceed five hundred dollars (\$500.00) in cash or kind, or both, for each separate game which is held.

SECTION II. Severability.

In the event that a court of competent jurisdiction holds any Section, subsection, paragraph, sentence, clause, or phrase in this Ordinance unconstitutional, preempted, or otherwise invalid, the invalid portion shall be severed from this Section and shall not affect the validity of the remaining portions of this Section. The Town hereby declares that it would have adopted each Section, subsection, paragraph, sentence, clause, or phrase in this Section irrespective of the fact that any one or more Sections, subsections, paragraphs, sentences, clauses or phrases in this Section might be declared unconstitutional, preempted, or otherwise invalid.

SECTION III. Publication.

The Town Clerk is directed to cause copies of this ordinance to be posted in three (3)

prominent places in the Town of Los Gatos and to cause publication once in the Los Gatos Weekly, the official publication of legal notices of the Town of Los Gatos, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the Town Council and a certified copy shall be posted in the office of the Town Clerk, pursuant to GC 36933(c)(1).

SECTION IV. CEQA.

Adopting this ordinance increasing the amount of prize money per bingo game is not a project subject to CEQA because it can be seen with certainty that it will not impact the environment (CEQA Guidelines Section 15378).

SECTION V. Effective Date.

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the March 21, 2023, and adopted by the following vote as an ordinance of the Town of Los Gatos at a regular meeting of the Town Council of the Town of Los Gatos on the _____, 2023. This ordinance takes effect 30 days after it is adopted.

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____